

# LEGISLATIVE JOURNAL

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## SEVENTIETH (EXTRAORDINARY) SESSION

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### FIRST DAY

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Legislative Chamber, Lincoln, Nebraska  
Monday, August 1, 1960

Pursuant to a proclamation by His Excellency, Ralph G. Brooks, Governor of the State of Nebraska, the Seventieth (Extraordinary) Session of the Legislature of Nebraska assembled in Legislative Hall of the Capitol Building at the hour of 11:02 a.m., August 1, 1960, and was called to order by Lieutenant Governor Dwight W. Burney.

Prayer was offered by the Reverend Martin Schroeder, Chaplain.

The roll was called and the following members were present:

Adams, John, Sr.	Jensen, Hans O.	Portsche, Stanley L.
Aufenkamp, John	Klaver, Sam	Romans, Jack
Bowen, Kenneth L.	Lautenschlager,	Ruhnke, Arnold
Bridenbaugh, Hal	Marvin	Russillo, Michael P.
Burbach, J. W.	Liebers, Otto H.	Simmons, Ray C.
Carpenter, Terry	Marvel, Richard D.	Skarda, William R.,
Claussen, Peter H.	McHugh, Edwin T.	Jr.
Cooper, John R.	Moulton, William	Swanson, Arthur W.
Diers, H. K.	Munnelly, John P.	Syas, George
Erlewine, Dale	Olinger, Oliver	Tews, David D.
Fenske, A. A.	Orme, Fern Hubbard	Thompson, Don
Fulton, George F.	Otto, Norman A.	Vosoba, Joe T.
Gerdes, George C.	Peck, J. O.	Webb, Lewis
Hollenbeck, Earl	Pizer, Harry L.	Williams, Dwain

**Members Excused**

Messrs. John G. Donner, Frank Nelson, and Harold B. Stryker were excused, the latter two to attend an Intergovernmental Cooperation meeting in Chicago.

**PROCLAMATION**

I, Ralph G. Brooks, Governor of the State of Nebraska, pursuant to authority contained in section 8 of Article IV of the Constitution of the State of Nebraska, do hereby declare that the Legislature of this state shall be convened at 11 A.M. on the 1st day of August, 1960, at the seat of government in Lincoln, Nebraska, and I further declare that they shall be convened to consider the following:

1. An act for submission to the electors of an amendment or amendments to the Constitution of the State of Nebraska so that the Legislature may authorize governmental subdivisions to acquire, own, lease, and develop real and personal property to private interests, defraying the cost thereof by the issue of revenue bonds secured by a pledge of revenue therefrom, or other collateral, and to submit such amendment or amendments to the Constitution to the people that the electors may approve or reject such proposals at the November 1960 election.

2. To provide additional funds of not to exceed \$100,000 for the Division of Nebraska Resources for the biennium ending June 30, 1961.

3. An appropriation of funds for the necessary expenses of the extraordinary session herein called.

I direct that members of the Legislature of the State of Nebraska be notified of the convening of this extraordinary session by mailing to each of them a copy of this Proclamation.

In testimony whereof I have hereunto placed my signature and caused the Great Seal of the State of Nebraska to be affixed on this 25th day of July, 1960.

/s/ Ralph G. Brooks  
Governor

ATTEST:  
/s/ Frank Marsh  
Secretary of State

(SEAL)

This is to certify that the above proclamation is a true and correct copy of the proclamation filed in the office of Secretary of State on the 26th day of July, 1960.

/s/ Paul Quinlan  
Administrative Assistant

The President declared the Seventieth (Extraordinary) Session of the Nebraska State Legislature duly convened and ready to transact business.

#### **Escort Governor**

The President appointed Harry L. Pizer, Speaker, to notify the Governor that the Legislature is in session, and to escort the Governor to the Rostrum.

Mr. Pizer escorted Governor Ralph G. Brooks, who delivered the following:

#### **MESSAGE TO THE LEGISLATURE**

August 1, 1960

MR. PRESIDENT, MR. SPEAKER and MEMBERS OF THE  
LEGISLATURE:

I do not like this any better than you do. When this Legislature adjourned, I didn't have the slightest idea that I would be calling you into extraordinary session. One event has caused me to do this. As you know, it was the announcement of Nebraska's standing in the 1960 census, the fact that now our population has lagged so far behind the national increase as to threaten us with disaster. While the national rate of increase was nearly 20 per cent and Nebraska's rate was less than 6 per cent, we find that Nebraska is over 60 per cent behind the national increase. This amazing failure to keep pace with the population of the United States in an era of the greatest population increase in the history of the world causes us to consider the factors which contribute to this result. We lost 6,183 farms in the last ten years. Our farm labor force declined 40,000 workers since 1950. Without corresponding industrial opportunities to replace the farm, these people have sought and are seeking employment in other states.

According to the Nebraska Department of Labor, to stand still Nebraska will need to create 56,000 new jobs in the next ten years and if we are to stem the tide of out-migration, Nebraska needs 146,000 new job opportunities. I call your attention to the fact that we have lost 60,000 workers and their families in the last

ten years. If we continue at this rate for the next ten, we will lose 90,000 more workers which means 150,000 people.

Let me call your attention to a rather staggering statistic. One million people born in Nebraska from 1890 to 1960 left Nebraska. If this were the Great American Desert this might be understandable. But, according to John Guenther in his book "Inside U.S.A." Nebraska is sixth among the states in the production of food products. We have some great manufacturing and industrial plants in this state. We do not have enough. We need industry to finish our raw products and retain for our people the golden stream continually pouring into the laps of distant communities. If a few manufacturing and industrial concerns can be successful in Nebraska, so can others.

I want to return for a moment to those one million native Nebraskans who left the state in the last 70 years. I can tell you where some of them are. S. S. Vischer of the Social Science Magazine, away back in June 1930, made an analysis. This analysis showed that in proportion to population among the names appearing in "Who's Who in America" Nebraska ranked third among the then 48 states in the Union. Only a few of those names belong to residents of Nebraska. So we have not only lost our material wealth, but we have failed to hold our share of the best brains and talent in the world.

You are aware of the fact, not only that scores of our towns have become mere whistling posts but that some of our outstanding flourishing cities have lost population.

I do not think that these two proposals before you are a complete solution to our problem, but I think they are the first step in a long-range program to help our small towns and to promote industry all over the state. The Division of Nebraska Resources tells me that they have lost industries for the specific reasons that this amendment will cure. Twenty-nine different states now participate in a total of 43 programs of this nature. In nine of these states revenue and general obligation bonds are authorized. In twenty states the creation of state development corporations and authorities is permitted and thirteen states have private development credit corporations. Nebraska is not listed in any of these categories. Today industry is on the move seeking additional locations and new outlets.

My first reaction to this set of circumstances was that all of this could be dealt with by the next Legislature and not by me, but then I realized that if we were to wait until the next session of the Legislature this constitutional amendment could not be brought before the people of Nebraska for another two years. The

implementing legislation under that amendment could not be called into being until 1963. Thus, time being of the essence, I have called you into special session so that you have the opportunity to place this amendment on the ballot this coming November.

You have a copy of this amendment. You know that it is very similar and almost identical to the previous one submitted and voted down by the people in 1958. The submitted bill will be the same as the one which the Legislature passed in 1957. As to the attitude of the people to this amendment now, as compared to 1958, I know that Chambers of Commerce all over Nebraska and community leaders from many walks of life are demonstrating not only their interest in the success of this amendment, but also their determination to see that it will pass in November.

These are the two circumstances which compel me to call this special session, the population lag and the time lag.

The second proposal put before you is to provide increased funds for the Division of Nebraska Resources to enable them to step up and dramatize Nebraska's opportunities to the world. The Division of Nebraska Resources has outlined a program for expanded activity during the next twelve months which would require an additional expenditure of \$113,000. My proposal referred to \$100,000. Assuming that this program be initiated on September 1, 1960, there would be but ten remaining months in this biennium and accordingly, its requirements would be five-sixths of that amount or approximately \$94,000. This money would include \$15,000 for expanding our own Resources Department, \$10,000 for research by independent agencies, \$14,500 for personal contacts with prospects, \$8,000 for additional advertising, \$5,000 for special market studies, \$10,000 for the preparation of promotional materials, \$13,500 for community surveys, \$20,000 for community planning and betterment, \$5,000 for the exploration of new ideas and approaches to a broadened industrial horizon and \$12,000 for additional overhead expenses. Complete details of all of these estimates will be furnished through legislative hearings with the Division of Nebraska Resources. I have stated that this money is available without additional expense to the taxpayers. As to how it is to be provided is entirely up to the Legislature. It could be appropriated from unexpended funds in the General Fund or transferred from one of the several funds in the Department of Agriculture. I call your attention only to the availability of the money and the need for its use.

It may be of interest to you to know that Nebraska ranks thirty-sixth in the field of anticipated state agency expenditures for industry alone, and lags behind all midwestern competitors.

Nebraska is tied with Rhode Island for forty-sixth place having increased its budget 33 per cent in the last eight years. The combined promotional budgets for the nation exclusive of special industrial production promotions has increased 131 per cent in the past eight years.

This work needs to begin now. If the past legislative session is any criterion, our Resources Division will not know until next July, almost one year from now, of the money which it will have available to plan for the advancement of its program. If this additional money is provided now it can be mapping a program of research, advertising, personal contact, publicity, and personnel recruitment which will provide for us a running head start on the challenge of the Sixties.

I know that this legislative body could place the Constitutional Amendment upon the ballot by resolution, kill the second Legislative Proposal and adjourn, but I am confident that neither this body, nor any member of the Legislature would expect the voters of Nebraska enthusiastically to endorse the revenue bond proposal, in November, if in August, the Legislature did not consider the matter of industrial expansion for Nebraska to be of sufficient importance to provide an additional \$100,000 for a stepped-up program of industrial activity designed to keep our young people within our state, to provide additional job opportunities for Nebraska workers and to make the maximum use of the great resources which exist within our state today.

Nebraska is desperately in need of the tools with which to combat their surrounding competition. Nebraska must fight on equal terms with our competitive states. These states have the program which I have outlined. They have not found it to be "foreign to the fundamental concepts of our constitutional systems or ultimately destructive to our free enterprise system" as a publication last week implied. Indeed, these have been proven to be the salvation of those states and their people.

#### MESSAGE FROM THE GOVERNOR

August 1, 1960

Mr. President, Mr. Speaker and  
Members of the Legislature  
State Capitol  
Lincoln, Nebraska.

Gentlemen and Mrs. Orme:

I respectfully ask your permission to introduce a bill calling for the submission to the electors in November 1960 of a constitutional amendment to permit municipal corporations to issue revenue bonds to private enterprise for industrial development purposes.

The bill which I propose is virtually identical to LB 603 adopted by the 1957 session and upon which 23 of the present members of this Body voted favorably when that measure was approved by a vote of 37 ayes, and 4 nays and 2 not voting.

That proposal has been extended, however, to include a provision for the payment of taxes by such private enterprise and to preclude the necessity of a popular vote on each bond issue.

The suggested bill which I forwarded to you this past week would permit the next session to enact implementing legislation without undue constitutional restrictions. However, in view of the 1957 legislative vote on this matter and in order to avoid time-consuming debate on language already found acceptable, I have proposed a bill which uses the wording of LB 603 more extensively but which includes the provision for tax payments.

As I indicated in my address to your Body, 29 different states are participating in 43 different programs of this nature. The small towns, as well as the cities, of Nebraska require this industrial tool if Nebraska is to retain its people and its rightful place in our national economy.

I urge your favorable consideration.

Respectfully submitted,

STATE OF NEBRASKA  
(Signed) Ralph G. Brooks  
GOVERNOR

RGB:RBC:s

#### BILLS ON FIRST READING

The following bill was read the first time by title:

**LEGISLATIVE BILL 1.** By Joe T. Vosoba of Legislative District 23 and Arnold Ruhnke of Legislative District 22, upon recommendation of the Governor.

A bill for an act for submission to the electors of an amendment to Article XI of the Constitution of Nebraska, relating to

municipal corporations; to provide for the development of Nebraska agricultural and industrial resources; to provide that the Legislature may authorize municipalities to acquire, own, and lease real and personal property to private enterprises, the cost thereof to be defrayed by revenue bonds secured by a pledge of the lease and revenues therefrom and by mortgage upon such property; to provide that the acquiring, owning, and leasing of any such property shall be deemed a public use; to provide for taxation of the leasehold and other property; to provide for the submission of the proposed amendment to the electors at the general election in November, 1960; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

### MESSAGE FROM THE GOVERNOR

August 1, 1960

Mr. President, Mr. Speaker and  
Members of the Legislature  
State Capitol, Lincoln, Nebraska

Gentlemen and Mrs. Orme:

I respectfully ask your permission to introduce a bill providing additional funds for the Division of Nebraska Resources.

As I indicated in my address to your Body, Nebraska ranks thirty-fifth in the field of anticipated state agency expenditures for industry and is tied with Rhode Island for forty-sixth place in its over-all state promotional budget. Nebraska has increased its budget 33 per cent in the last eight years while an increase of 131 per cent has occurred throughout the nation during the same period.

We need to begin at once upon a program of research, publicity, prospecting, advertising and programming in accordance with a proposal of the Division of Nebraska Resources involving additional expenditures of \$113,000 for the next twelve months. Assuming the enactment of this legislation, we would concern ourselves with the ten month period beginning September 1 and concluding June 30, 1961 and to require additional funds in the amount of \$94,000.

A failure to provide these funds will mean the loss of a year of effective programming and planning.

I urge your favorable consideration.

Respectfully submitted,



STATE OF NEBRASKA  
(Signed) Ralph G. Brooks  
GOVERNOR

RGB:RBC:s

**BILLS ON FIRST READING**

The following bill was read the first time by title:

**LEGISLATIVE BILL 2.** By Norman A. Otto of Legislative District 34, upon recommendation of the Governor.

A bill for an act to appropriate the sum of one hundred thousand dollars to aid in defraying the expense of salaries, wages, and maintenance of the Division of Nebraska Resources for the biennium ending June 30, 1961; and to declare an emergency.

**MESSAGE FROM THE GOVERNOR**

August 1, 1960

Mr. President, Mr. Speaker and  
Members of the Legislature  
State Capitol  
Lincoln, Nebraska

Gentlemen and Mrs. Orme:

I respectfully ask your permission to introduce a bill providing \$8000.00 in additional funds to defray the expenses of this legislative session.

I urge your favorable consideration.

Respectfully submitted,

STATE OF NEBRASKA  
(Signed) Ralph G. Brooks  
GOVERNOR

RGB:RBC:s

**BILLS ON FIRST READING**

The following bill was read the first time by title:

**LEGISLATIVE BILL 3.** By J. W. Burbach of Legislative District 14, Stanley L. Portsche of Legislative Dis-

trict 19, and Kenneth L. Bowen of Legislative District 32, upon recommendation of the Governor.

A bill for an act to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Seventieth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum of eight thousand dollars therefor; and to declare an emergency.

#### **MOTION—Recess**

Mr. President: I move that we recess until 3:00 p.m. today, so that we may have time to study the Brooks' proposed bill. (Signed) John R. Cooper

The motion prevailed and at 11:43 a.m., the Legislature recessed until 3:00 p.m.

#### **After Recess**

The Legislature reconvened at 3:00 p.m., President Burney presiding.

The roll was called and all members were present except Messrs. Donner, Nelson, and Stryker who were excused.

#### **MESSAGE FROM THE GOVERNOR**

August 1, 1960

Mr. President, Mr. Speaker and  
Members of the Legislature  
State Capitol, Lincoln, Nebraska

Gentlemen and Mrs. Orme:

Please be informed that, since the last meeting of your Honorable Body, I did make the following appointments and for which I request your consideration for confirmation:

On October 1, 1959, I appointed H. L. Blackledge of Kearney, Nebraska to the Board of Educational Lands and Funds for a five-year period expiring October 1, 1964;

On June 9, 1959, I appointed Francis V. Robinson of Ashland, Nebraska as Judge of the Court of Industrial Relations for a six-year term expiring June 9, 1965;

On September 6, 1959, I appointed Don C. Smith of Franklin, Nebraska to the Game, Forestation and Parks Commission for a five-year term expiring September 6, 1964 and on January 15, 1960, I appointed A. I. "Dutch" Rauch of Holdrege, Nebraska to the Game, Forestation and Parks Commission for a five-year term expiring Jan. 15, 1965;

On September 14, 1959, I appointed Joseph T. Votava of Omaha to the State Highway Commission for a six-year term expiring September 14, 1965; on September 14, 1959, I appointed Thane Davis of Hyannis, Nebraska to the State Highway Commission for a six-year term expiring on September 14, 1965 and on May 19, 1960, I appointed Kirk Mendenhall of North Platte to complete the unexpired term of Ray Ogier, deceased, and the expiration date of Mr. Mendenhall's appointment will be September 14, 1965;

On September 14, 1959, I appointed Dr. Earl F. Leininger of McCook to the State Board of Health for a three-year term expiring September 13, 1962 and on September 14, 1959 I reappointed Mrs. Wendell Berge of Lisco, Nebraska for a three-year term expiring on September 13, 1962. On September 14, 1959, I appointed Mrs. Walter R. Raecke of Central City to the State Board of Health for a three-year term expiring September 13, 1962 and on September 14, 1959, I appointed Mr. George R. Meyers of Gering, Nebraska to the State Board of Health for a three-year term expiring September 13, 1962.

On December 15, 1959, I appointed Forrest A. Johnson of Fremont as State Tax Commissioner to fill the unexpired term of Fred Herrington, the expiration date of this appointment being September 28, 1963.

These appointees are now serving in their designated positions and I submit their appointments to you in keeping with the apparent policy of your Honorable Body, reflected in your 1954 extraordinary session proceedings, pertaining to confirmation of appointments, and in accordance with Section 11 of Article 4 of the Constitution of Nebraska.

Thank you.

Respectfully submitted,

STATE OF NEBRASKA  
(Signed) Ralph G. Brooks  
GOVERNOR

RGB:RBC:s

Mr. Tews raised the question whether confirmation of appointments was a proper subject for the special session in view of the fact that it was not included in the Governor's proclamation.

At the direction of the President, the Clerk read Section 11, Article 4, of the Constitution of Nebraska.

Mr. Syas moved that the Attorney General be contacted regarding whether or not the Legislature should consider appointments made by the Governor, during this special session.

The motion prevailed and the President appointed Messrs. Syas and Tews to contact the Attorney General.

### RESOLUTIONS

#### LEGISLATIVE RESOLUTION 1. Proposing a Constitutional Amendment.

Introduced by Terry Carpenter of Legislative District 42.

WHEREAS, it is essential to promote a sound and proper balance between agriculture, commerce, and industry in the State of Nebraska; and

WHEREAS, it is desirable to encourage industry to locate in this state in order to promote a better balance in our economy; and

WHEREAS, cities and villages should receive assistance in their efforts to encourage industry to locate in this state,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTIETH SESSION ASSEMBLED:

1. That at the general election in November, 1960, there shall be submitted to the electors of the State of Nebraska for approval the following amendment to Article XI of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 6. Notwithstanding any other provision in the Constitution, the Legislature may authorize any incorporated city or village, including cities operating under home rule charters, to acquire, own, and lease real and personal property to manufacturing, industrial, and commercial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the municipal corporation by which such bonds are issued. The property so acquired shall be subject to taxation the

same as privately-owned property, notwithstanding the provisions of Article VIII, Section 2, during all of the time such property is leased to manufacturing, industrial and commercial enterprises. The acquiring, owning, and leasing of such property shall be deemed for a public purpose. The provisions of Article XIII, section 2, of the Constitution shall not apply to the issuance of revenue bonds herein provided for. The principal of and interest on any bonds issued may be secured by a pledge of the lease and the revenues therefrom and by mortgage upon such property. No municipal corporation shall have the power to operate any such property as a business or in any manner except as the lessor thereof."

2. That the proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment to authorize the Legislature to permit municipal corporations to acquire and own real and personal property to be leased without tax exemption to private enterprises for industrial use, and to issue revenue bonds to defray the cost thereof.

- ☐ For
- ☐ Against"

3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the canvass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

#### **UNANIMOUS CONSENT—Read Attorney General's Opinion**

Mr. Syas requested unanimous consent that the Clerk read a copy of an opinion from the Attorney General dated August 29, 1946, which appears in the Legislative Journal for the Fifty-ninth (Extraordinary) Session of the Legislature, on pages 37 to 39, relative to consideration, during a special session, of the Governor's appointments. No objections. So ordered.

The Clerk read the opinion.

#### **SUSPEND RULES—Refer LB 1**

Mr. President: I move that the Rules be suspended and that LB 1 be referred to a special committee consisting of the seven members of the Judiciary Committee who served on that committee

during the 1959 session of the Legislature. (Signed) William Moulton

The motion prevailed with 39 ayes, 0 nays, and 4 not voting.

#### **SUSPEND RULES—Refer LB 2**

Mr. President: I move that the Rules be suspended and that LB 2 be referred to a special committee consisting of the eight members of the Budget Committee who served in the 1959 session of the Legislature. (Signed) William Moulton

Mr. Carpenter moved that, as a substitute motion, the Rules be suspended and that LB 2 be placed on General File. The motion lost with 14 ayes, 24 nays, and 5 not voting.

The Moulton motion prevailed with 38 ayes, 0 nays, and 5 not voting.

#### **SUSPEND RULES—Refer LR 1**

Mr. President: I move that the Rules be suspended and that Legislative Resolution 1 be referred to a special committee consisting of the seven members of the 1959 Judiciary Committee of the Nebraska Legislature. (Signed) Richard D. Marvel

The motion prevailed with 38 ayes, 0 nays, and 5 not voting.

#### **SUSPEND RULES—Committee Hearings**

Mr. President: I move that the Rules be suspended and the special committees, to which bills and resolution have been referred, be authorized to set bills and resolution for public hearing at a time to be determined by the chairmen of such committees. (Signed) Hal Bridenbaugh

The motion prevailed with 40 ayes, 0 nays, and 3 not voting.

#### **SUSPEND RULES—Place LB 3 on General File**

Mr. President: I move that the Rules be suspended and LB 3 be placed on General File. (Signed) William Moulton

The motion prevailed with 39 ayes, 0 nays, and 4 not voting.

#### **MOTION—Appointments**

Mr. President: I move that the Legislature not consider the appointments submitted by the Governor at this special session of the Legislature. (Signed) A. A. Fenske

The motion prevailed with 28 ayes, 10 nays, and 5 not voting.

### NOTICE OF COMMITTEE HEARINGS

#### Judiciary

LB 1	Wednesday, August 3, 1960	1:00 p.m.
LR 1	Wednesday, August 3, 1960	1:00 p.m.

#### Budget

LB 2	Wednesday, August 3, 1960	3:00 p.m.
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### MOTION—Introduction of Bills

Mr. President: I move that, during this special session, no bill shall be introduced after the first legislative day. (Signed) John R. Cooper

The Chair ruled that the motion was a suspension of the Rules and would require 29 affirmative votes for passage.

The Cooper motion prevailed with 33 ayes, 4 nays, and 6 not voting.

### RESOLUTION

**LEGISLATIVE RESOLUTION 2.** Re: Report from University of Nebraska on Industrial Development.

Introduced by Joe T. Vosoba of Legislative District 23 and Otto H. Liebers of Legislative District 18.

WHEREAS, it is the declared public policy of the State of Nebraska to "encourage constructive use of radioactive material or the energy therefrom . . . for industrial and other useful purposes," and to foster "industrial use of radioactive material or the energy therefrom in ways that will encourage the healthy development and progress of such industries", as set forth in LB 463 passed by the 69th Session of the Legislature of Nebraska; and

WHEREAS, Nebraska will soon have an abundant and economical supply of radioactive material as a result of operation of the nuclear facility of the Sheldon Station generating plant of Consumers Public Power District, a political subdivision of the State of Nebraska, at Hallam, Nebraska; and

WHEREAS, basic research on industrial and agricultural uses of radioactive materials is essential to the fulfillment of constructive uses of such materials; and

WHEREAS, strong basic research programs provide an incentive to industries to develop and locate in close proximity to the centers of such research, and industries have developed and located in areas adjacent to major universities having strong research programs; and

WHEREAS, basic research has historically been a vital function of universities and centers of learning;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE LEGISLATURE OF NEBRASKA IN SEVENTIETH (EXTRAORDINARY) SESSION ASSEMBLED:

1. That the University of Nebraska be requested to evaluate the increased contribution it might make toward greater industrial development in the State of Nebraska through basic research programs, including basic research in the field of radioactivity and the consequent development and attraction of industrial and agricultural utilization of radioactivity in Nebraska, and to report thereon to the next session of the Legislature of Nebraska.

BE IT FURTHER RESOLVED that a copy of this resolution be provided the members of the Board of Regents and the Chancellor of the University of Nebraska.

The Chair ruled that the Legislature would have to decide whether the Resolution is pertinent under the Governor's proclamation.

Mr. Vosoba appealed the decision of the Chair and requested unanimous consent that LR 2 be laid over until tomorrow. No objections. So ordered.

#### **MOTION — Flowers**

Mr. President: I move that flowers be sent to the Eugene Steenson funeral. (Signed) J. W. Burbach

The motion prevailed.

#### **Visitors**

Mr. Jensen introduced Mr. and Mrs. Harry Andersen from Chicago, Illinois.



**Member Excused**

Mr. Burbach was excused for Tuesday and Wednesday, August 2 and 3, 1960.

**Adjournment**

At 4:49 p.m., on a motion by Mr. Klaver, the Legislature adjourned until 10:00 a.m., Tuesday, August 2, 1960.

Hugo F. Srb  
Clerk of the Legislature

## LEGISLATIVE JOURNAL—SEVENTIETH SESSION

## SECOND DAY

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Legislative Chamber, Lincoln, Nebraska

Tuesday, August 2, 1960

Pursuant to adjournment, the Legislature met at 10:09 a.m., Speaker Pizer presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Burbach, Donner, Lautenschlager, McHugh, Otto, Ruhnke, and Simmons who were excused.

**Corrections for the Journal**

Page 1, line 16, correct the spelling of the name "Schroeder".

Page 6, line 34, delete "these" and insert "those".

Page 11, line 5, delete the initial "L." and insert the initial "I".

Page 11, line 23, delete "1962" and insert "1959".

The Journal for the First Day was approved as corrected.

**GENERAL FILE**

**LEGISLATIVE BILL 3.** Read and considered.

**President Burney Presiding**

Mr. Carpenter offered the following amendment which was adopted:

1. Amend LB 3, Section 2, line 1, by striking "property" and inserting in lieu thereof "properly", and line 14, correct the spelling of the word "authorized".

Advanced to E and R for review with 35 ayes, 1 nay, and 7 not voting.

**Visitors**

Mr. Cooper introduced Mr. Frank Morrison of Lincoln, Democratic candidate for Governor.

Mr. Pizer introduced former Senator Sydney Cullingham of Omaha.

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 2.**

The Chair withdrew his ruling on Legislative Resolution 2.

LR 2 was adopted with 35 ayes, 1 nay, and 7 not voting.

**STANDING COMMITTEE REPORTS**

**Enrollment and Review**

**LEGISLATIVE BILL 3.** Placed on Select File.

(Signed) Joe T. Vosoba, Chairman

**SUSPEND RULES—Consider LB 3**

Mr. President: I move that the Rules be suspended and we consider LB 3 on Select File. (Signed) George Syas

The motion prevailed with 32 ayes, 0 nays, and 11 not voting.

**SELECT FILE**

**LEGISLATIVE BILL 3.** Advanced to E and R for engrossment with 32 ayes, 0 nays, and 11 not voting.

**Visitors**

President Burney introduced Mrs. Floyd Woockman and children from Cedar County.

**Adjournment**

At 10:53 a.m., on a motion by Mr. Moulton, the Legislature adjourned until 5:00 p.m., Wednesday, August 3, 1960.

Hugo F. Srb  
Clerk of the Legislature

## LEGISLATIVE JOURNAL—SEVENTIETH SESSION

THIRD DAY

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Legislative Chamber, Lincoln, Nebraska  
Wednesday, August 3, 1960

Pursuant to adjournment, the Legislature met at 5:00 p.m., Speaker Pizer presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Donner who was excused.

The Journal for the Second Day was approved.

## STANDING COMMITTEE REPORTS

## Enrollment and Review

**LEGISLATIVE BILL 3.** Correctly engrossed.

(Signed) Joe T. Vosoba, Chairman

## Ease

The Legislature was at ease from 5:04 until 6:06 p.m.

## Visitors

Mr. Tews introduced his wife, Joan, and his mother, Mrs. Irma Reeker of Norfolk.

Mr. Romans introduced Mr. Ralph Miska of York.

Mr. Pizer introduced Mr. and Mrs. Frank J. Srb, Jr., and children, Nancy Jo and Robert, of Roanoke, Virginia, and Miss Sarah Srb of Lincoln.

Mr. Portsche introduced Mr. Marvin Stromer of Lincoln.

## SPECIAL COMMITTEE REPORTS

**LEGISLATIVE BILL 2.** Placed on General File as amended.

Special Committee amendments to LB 2:

1. Amend the bill by striking Sections 1 and 2 and inserting in lieu thereof the following:

"Section 1. In order to aid in defraying the expense of salaries, wages, and maintenance of the Division of Nebraska Resources for the biennium ending June 30, 1961, there is hereby appropriated from the state General Fund the sum of thirty-five thousand dollars to supplement the amount heretofore appropriated for that purpose.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the proper fund in the state treasury for, but never in excess of, the sum herein specified upon presentation of proper vouchers. The State Treasurer shall pay the warrants out of money in the state General Fund not otherwise appropriated."

2. Amend the title of the bill by striking lines 2 to 4 and inserting in lieu thereof the following:

"FOR AN ACT to appropriate the sum of thirty-five thousand dollars to aid in defraying the expense of salaries, wages, and maintenance of the Division of Nebraska Resources for"

(Signed) Otto H. Liebers, Chairman

**LEGISLATIVE BILL 1.** Placed on General File as amended.

Special Committee amendments to LB 1:

1. Amend page 2 of the bill, section 1, line 3 by striking "XI" and inserting "XV".

2. Amend page 2 of the bill, section 1, by striking lines 6 to 28 and inserting in lieu thereof the following:

"Sec. 16. Notwithstanding any other provision in the Constitution, the Legislature may authorize any county, incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property to manufacturing and industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any such real or personal property so acquired, owned, developed or used by any such county, city or village, shall be subject to taxation to the same extent as private property during the time it is leased to or held by private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, owning, developing, and leasing of such

property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The provisions of Article XIII, section 2, of the Constitution, shall not apply to the issuance of revenue bonds herein provided for. The principal of and interest on any bonds issued may be secured by a pledge of the lease and the revenues therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof.'"

3. Amend pages 2 and 3 of the bill, section 2, by striking lines 6 to 11, and inserting in lieu thereof the following:

"'Constitutional amendment to authorize the Legislature to permit counties, cities and villages to acquire, develop and own real and personal property to be leased to private enterprises for manufacturing and industrial use, and to issue revenue bonds to defray the cost thereof, which bonds shall not be a general obligation of the governmental subdivisions issuing such bonds; such real and personal property to be taxed when leased to private enterprises.'"

4. Amend the title of the bill, line 3, by striking "XI" and inserting "XV", line 4 by striking "municipal corporations" and inserting "counties, cities and villages", lines 6 and 7 by striking "municipalities" and inserting "counties, cities and villages", lines 13 and 14 by striking "of the leasehold and other property".

**LEGISLATIVE RESOLUTION 1.** Reported back to the Legislature with the recommendation that it be adopted and amended as follows:

WHEREAS, it is essential to promote a sound and proper balance between agriculture, commerce, and industry in the State of Nebraska; and

WHEREAS, it is desirable to encourage industry to locate in this state in order to promote a better balance in our economy; and

WHEREAS, counties, cities, and villages should receive assistance in their efforts to encourage industry to locate in this state,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTIETH SESSION ASSEMBLED:

1. That at the general election in November, 1960, there shall be submitted to the electors of the State of Nebraska for approval

the following amendment to Article XV of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 16. Notwithstanding any other provision in the Constitution, the Legislature may authorize any county, incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property to manufacturing and industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any such real or personal property so acquired, developed, owned, or used by any such county, city or village, shall be subject to taxation to the same extent as private property during the time it is leased to or held by such private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, developing, owning, and leasing of such property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The provisions of Article XIII, section 2 of the Constitution, shall not apply to the issuance of revenue bonds herein provided for. The principal of and interest on any bonds issued may be secured by a pledge of the lease and the revenues therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof."

Sec. 2. That the proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment to authorize the Legislature to permit counties, cities and villages to acquire and own real and personal property to be leased to private enterprises for manufacturing and industrial use, and to issue revenue bonds to defray the cost thereof, which bonds shall not be a general obligation of the governmental subdivisions issuing such bonds; such real and personal property to be taxed when leased to private enterprises.

- ☐ For
- ☐ Against"

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the can-

vass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

(Signed) Ray C. Simmons, Chairman

**Adjournment**

At 6:08 p.m., on a motion by Mr. Vosoba, the Legislature adjourned until 10:00 a.m., Thursday, August 4, 1960.

Hugo F. Srb  
Clerk of the Legislature



**LEGISLATIVE JOURNAL—SEVENTIETH SESSION**

**FOURTH DAY**

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Legislative Chamber, Lincoln, Nebraska

Thursday, August 4, 1960

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Donner who was excused.

**Corrections for the Journal**

Page 21, line 27, delete "provisions" and insert "provision".

The Journal for the Third Day was approved as corrected.

**SUSPEND RULES—Order of Business**

Mr. President: I move that the Rules be suspended with respect to the order of business and that consideration of resolutions be deferred until after consideration of bills on General File. (Signed) Norman A. Otto

The motion prevailed with 39 ayes, 0 nays, and 4 not voting.

**GENERAL FILE**

**LEGISLATIVE BILL 2.** Section 1 read.

Special Committee amendment 1 read.

Mr. Carpenter moved that LB 2 be indefinitely postponed.

Mr. Tews moved the previous question. The motion lost with 4 ayes, 32 nays, and 7 not voting.

Carpenter motion pending.

**Speaker Pizer Presiding**

**Birthday**

Mr. Swanson announced that today is Mr. Hugo Srb's birthday, and the members sang Happy Birthday to him.

**Recess**

At 11:55 a.m., on a motion by Mr. Fenske, the Legislature recessed until 2:00 p.m.

**After Recess**

The Legislature reconvened at 2:01 p.m., President Burney presiding.

The roll was called and all members were present except Mr. Donner who was excused.

**GENERAL FILE****LEGISLATIVE BILL 2.**

Mr. Vosoba requested a record vote on the pending Carpenter motion, found in this Day's Journal, to indefinitely postpone LB 2.

Voting in the affirmative, 17:

Adams	Fulton	Nelson	Stryker
Aufenkamp	Hollenbeck	Romans	Swanson
Bridenbaugh	Lautenschlager	Russillo	Webb
Carpenter	Moulton	Skarda	Williams
Erlewine			

Voting in the negative, 25:

Bowen	Jensen	Olinger	Ruhnke
Burbach	Klaver	Orme	Simmons
Claussen	Liebers	Otto	Syas
Cooper	Marvel	Peck	Tews
Diers	McHugh	Pizer	Thompson
Fenske	Munnelly	Portsche	Vosoba
Gerdes			

Not voting, 1:

Donner

The Carpenter motion lost.

Mr. Russillo offered the following amendment:

1. Amend standing committee amendment to LB 2, section 1, line 6, add "This specific sum shall be made available to the Divi-

sion of Nebraska Resources only following acceptance by the electorate of the constitutional amendment proposed in LB 1 of the current session.”.

Mr. Carpenter requested a record vote.

Voting in the affirmative, 15:

Bridenbaugh	Hollenbeck	Nelson	Tews
Carpenter	Lautenschlager	Portsche	Webb
Cooper	McHugh	Romans	Williams
Fulton	Moulton	Russillo	

Voting in the negative, 27:

Adams	Fenske	Olinger	Skarda
Aufenkamp	Gerdes	Orme	Stryker
Bowen	Jensen	Otto	Swanson
Burbach	Klaver	Peck	Syas
Claussen	Liebers	Pizer	Thompson
Diers	Marvel	Ruhnke	Vosoba
Erlewine	Munnely	Simmons	

Not voting, 1:

Donner

The Russillo amendment lost.

Mr. Cooper offered the following amendment:

1. Amend Special Committee Amendment to LB 2 by striking in Section 1, line 5, the word “thirty-five” and inserting in its place the word “seventy-five”; also on line 6 to add the following after the period: “and for the same purpose and from the same source to appropriate \$25,000 to the University of Nebraska to be used by their Economics Research Department so that the latter can aid and assist in this research and eliminate duplication”, and amend title to conform.

Mr. Carpenter requested a record vote.

Voting in the affirmative, 11:

Adams	Cooper	Romans	Webb
Bridenbaugh	Klaver	Russillo	Williams
Carpenter	McHugh	Tews	

Voting in the negative, 31:

Aufenkamp	Burbach	Diers	Fenske
Bowen	Claussen	Erlewine	Fulton

Gerdes	Moulton	Peck	Stryker
Hollenbeck	Munnelly	Pizer	Swanson
Jensen	Nelson	Portsche	Syas
Lautenschlager	Olinger	Ruhnke	Thompson
Liebers	Orme	Simmons	Vosoba
Marvel	Otto	Skarda	

Not voting, 1:

Donner

The Cooper amendment lost.

Section 3 and the title read and considered.

Special Committee amendments found in the Legislative Journal for the Third Day were adopted with 38 ayes, 3 nays, and 2 not voting.

Advanced to E and R for review with 37 ayes, 5 nays, and 1 not voting.

**LEGISLATIVE BILL 1.** Read and considered.

**Mr. Tews Presiding**

Special Committee amendments found in the Legislative Journal for the Third Day were adopted.

Advanced to E and R for review with 37 ayes, 2 nays, and 4 not voting.

**President Burney Presiding**

**UNANIMOUS CONSENT—Hold LR 1**

Mr. Carpenter requested unanimous consent to hold LR 1 on General File until it is called up by the introducer. No objections. So ordered.

**Speaker Pizer Presiding**

**STANDING COMMITTEE REPORTS**

**Enrollment and Review**

**LEGISLATIVE BILL 2.** Placed on Select File.

**LEGISLATIVE BILL 1.** Placed on Select File as amended.

E and R amendment to LB 1:

1. Amend the title of the bill, line 7 by inserting "develop," before "and", line 12 by inserting "developing," before "and".

(Signed) Joe T. Vosoba, Chairman

**SUSPEND RULES—Select File**

Mr. President: I move that the Rules be suspended and we consider LB 2 and LB 1 on Select File. (Signed) Joe T. Vosoba

The motion prevailed with 39 ayes, 1 nay, and 3 not voting.

**SELECT FILE**

**LEGISLATIVE BILL 2.** Advanced to E and R for engrossment.

**LEGISLATIVE BILL 1.** E and R amendment found in this Day's Journal was adopted.

Advanced to E and R for engrossment.

**MOTION—Read and Print Letter**

Mr. President: I move that the attached letter be read and made a part of today's report in the Legislative Journal. (Signed) John R. Cooper

The motion prevailed with 20 ayes, 19 nays, and 4 not voting.

The Clerk read the following letter:

York, Nebr.,  
July 25, 1960

Gubernatorial Candidate  
John Cooper,  
Humboldt, Nebr.

Dear Sir:

You will probably put this letter down to the ignorance of women I am going to vote against it without giving it consideration. And I shall try to be brief as you are a busy man.

Unless Good Government is stressed along with this amendment I am going to vote against it without giving it consideration. The first prerequisite in attracting Industry is good government and I am not in favor of a short-cut or using money as a cure-all. I am not saying that all the towns in the state are poorly run

but I could tell you some surprising things and, I doubt, that every town in the state could pass the test.

If anyone would ask me, "What is the finest thing York has to offer?" — without hesitation I would say, "Its two outstanding Banks." Good government and good Banks will go a long way in attracting Industry.

Perhaps, it is the floods or threat of floods that has caused the loss of population. If the money were used to stop floods — I don't suppose floods can be stopped or they would have been stopped long ago — but something like that I could understand. If this is in the Agriculture Dept. If we want to attract why not make Agriculture attractive? Why help the business-man when the business-man may himself be to blame by allowing poor government? I know — you will put that down to a woman's ignorance so I might as well stop but I will say one thing more.

For over half a century, Fremont has had the reputation of being a clean city. I know because I lived next door for a long, long time. That's my point. Have something to offer. I don't believe money can be used as a cure-all. That brings me back to where I started — Good Government and good Banks in our towns will do much to attract a worthwhile Industry.

Yours sincerely,

(Signed) Mrs. Dora Evans  
Mrs. Dora Evans,  
1300 Iowa Ave.,  
York, Nebr.

#### **Members Excused**

Messrs. Aufenkamp, Diers, Williams, Bridenbaugh, Lautenschlager, Ruhnke, Carpenter, McHugh, and Fulton were excused for Friday, August 5, 1960.

#### **SUSPEND RULES—Adjournment**

Mr. President: I move that the Rules be suspended and when we adjourn tomorrow, we adjourn until 8:00 p.m. Monday, August 8, 1960. (Signed) Richard D. Marvel

The motion prevailed with 35 ayes, 1 nay, and 7 not voting.

#### **MOTION—Adjournment**

Mr. President: I move we adjourn until 12:05 a.m. Friday, August 5, 1960. (Signed) Richard D. Marvel

The motion prevailed with 30 ayes, 5 nays, and 8 not voting, and at 4:07 p.m. the Legislature adjourned until 12:05 a.m. Friday, August 5, 1960.

Hugo F. Srb  
Clerk of the Legislature

## LEGISLATIVE JOURNAL—SEVENTIETH SESSION

FIFTH DAY

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Legislative Chamber, Lincoln, Nebraska

Friday, August 5, 1960

Pursuant to adjournment, the Legislature met at 12:05 a.m., President Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Aufenkamp, Bridenbaugh, Carpenter, Diers, Donner, Fulton, Lautenschlager, McHugh, Ruhnke, and Williams who were excused.

The Journal for the Fourth Day was approved.

**STANDING COMMITTEE REPORTS****Enrollment and Review**

**LEGISLATIVE BILL 2.** Correctly engrossed.

**LEGISLATIVE BILL 1.** Correctly engrossed.

(Signed) Joe T. Vosoba, Chairman

**Members' Birthdays**

President Burney announced that Saturday is Mr. Swanson's birthday and the members sang Happy Birthday to him.

Mr. Hollenbeck announced that Saturday is Mr. Romans' birthday and the members sang Happy Birthday to him.

**Adjournment**

At 12:14 a.m., on a motion by Mr. Klaver, the Legislature adjourned until 8:00 p.m. Monday, August 8, 1960.

Hugo F. Srb  
Clerk of the Legislature



**LEGISLATIVE JOURNAL—SEVENTIETH SESSION**

**SIXTH DAY**

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Legislative Chamber, Lincoln, Nebraska  
Monday, August 8, 1960

Pursuant to adjournment, the Legislature met at 8:00 p.m., President Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carpenter, Erlewine, and Thompson who were excused.

The Journal for the Fifth Day was approved.

**Communications**

Telegram from Winton W. Buckley, President, Nebraska Fair Tax Association regarding the promotion of industry and recommending broadening the tax base.

**President Signs**

While the Legislature was in session and capable of transacting business, the President signed: LR 2

**Adjournment**

Mr. President: I move we adjourn until 8:00 a.m., tomorrow.  
(Signed) William Moulton

The motion prevailed with 27 ayes, 9 nays, and 7 not voting, and at 8:06 p.m., the Legislature adjourned until 8:00 a.m., Tuesday, August 9, 1960.

Hugo F. Srb  
Clerk of the Legislature

## LEGISLATIVE JOURNAL—SEVENTIETH SESSION

## SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, August 9, 1960

Pursuant to adjournment, the Legislature met at 8:00 a.m., President Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Donner and Erlewine who were excused.

The Journal for the Sixth Day was approved.

**SUSPEND RULES—Final Reading**

Mr. President: I move that the Rules be suspended and we consider bills on Final Reading immediately. (Signed) J. W. Burbach

The motion prevailed with 37 ayes, 0 nays, and 6 not voting.

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 3.** With emergency.

A BILL FOR AN ACT to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Seventieth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum of eight thousand dollars therefor; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 38:

Adams	Burbach	Diers	Jensen
Aufenkamp	Carpenter	Fenske	Klaver
Bowen	Claussen	Fulton	Liebers
Bridenbaugh	Cooper	Gerdes	Marvel

McHugh	Otto	Simmons	Tews
Moulton	Peck	Skarda	Thompson
Munnelly	Pizer	Stryker	Vosoba
Nelson	Portsche	Swanson	Webb
Olinger	Ruhnke	Syas	Williams
Orme	Russillo		

Voting in the negative, 3:

Hollenbeck	Lautenschlager	Romans
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Not voting, 2:

Donner	Erlewine
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **LEGISLATIVE BILL 2. With emergency.**

A BILL FOR AN ACT to appropriate the sum of thirty-five thousand dollars to aid in defraying the expense of salaries, wages, and maintenance of the Division of Nebraska Resources for the biennium ending June 30, 1961; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 29:

Adams	Jensen	Orme	Skarda
Bowen	Klaver	Otto	Swanson
Burbach	Liebers	Peck	Syas
Carpenter	Marvel	Pizer	Tews
Claussen	McHugh	Portsche	Thompson
Diers	Munnelly	Ruhnke	Vosoba
Fenske	Olinger	Simmons	Webb
Gerdes			

Voting in the negative, 12:

Aufenkamp	Fulton	Moulton	Russillo
Bridenbaugh	Hollenbeck	Nelson	Stryker
Cooper	Lautenschlager	Romans	Williams

Not voting, 2:

Donner	Erlewine
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 1.** By Joe T. Vosoba, 23rd District; Arnold Ruhnke, 22nd District, upon recommendation of the Governor.

A BILL FOR AN ACT for submission to the electors of an amendment to Article XV of the Constitution of Nebraska, relating to counties, cities and villages; to provide for the development of Nebraska agricultural and industrial resources; to provide that the Legislature may authorize counties, cities and villages to acquire, own, develop, and lease real and personal property to private enterprises, the cost thereof to be defrayed by revenue bonds secured by a pledge of the lease and revenues therefrom and by mortgage upon such property; to provide that the acquiring, owning, developing, and leasing of any such property shall be deemed a public use; to provide for taxation; to provide for the submission of the proposed amendment to the electors at the general election in November, 1960; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

Be it enacted by the people of the State of Nebraska,

Section 1. That at the general election in November, 1960, there shall be submitted to the electors of the State of Nebraska for approval the following amendment to Article XV of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 16. Notwithstanding any other provision in the Constitution, the Legislature may authorize any county, incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property to manufacturing and industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any such real or personal property so acquired, owned, developed or used by any such county, city or village, shall be subject to taxation to the same extent as private property during the time it is leased to or held by private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, owning, developing, and leasing of such property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The provisions of Article XIII, section 2, of the Constitution, shall not apply to the issuance of revenue bonds herein provided for. The principal of and interest on any bonds issued

may be secured by a pledge of the lease and the revenues therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof."

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment to authorize the Legislature to permit counties, cities and villages to acquire, develop and own real and personal property to be leased to private enterprises for manufacturing and industrial use, and to issue revenue bonds to defray the cost thereof, which bonds shall not be a general obligation of the governmental subdivisions issuing such bonds; such real and personal property to be taxed when leased to private enterprises.

- ☐ For  
☐ Against"

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the canvass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 39:

Adams	Fulton	Nelson	Simmons
Aufenkamp	Gerdes	Olinger	Skarda
Bowen	Hollenbeck	Orme	Stryker
Bridenbaugh	Jensen	Otto	Swanson
Burbach	Klaver	Peck	Tews
Carpenter	Lautenschlager	Pizer	Thompson
Claussen	Liebers	Portsche	Vosoba
Cooper	Marvel	Romans	Webb
Diers	McHugh	Ruhnke	Williams
Fenske	Munnelly	Russillo	

Voting in the negative, 2:

Moulton Syas

Not voting, 2:

Donner Erlewine

A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### Visitors

Mr. Gärdes introduced R. L. Patterson, Chairman, Kansas Wheat Commission; Orville Wolf, Chairman, Oklahoma Research Foundation; Frank Zeman, Chairman, Oklahoma Wheat Growers; Jim Johnson, Director, Oklahoma State Legislative Council; Roy Suttles, Executive Secretary, Oklahoma Wheat Growers; Leo Gilbert, Vice Chairman, Clyde Cooperative; and the following Representatives who are members of the Oklahoma Sub-committee on Agriculture: A. E. Green, Chairman, John Howe, Bert Larason, Frank Reneaue, and Frank Patterson.

### UNANIMOUS CONSENT—Withdraw LR 1

Mr. Carpenter requested unanimous consent to withdraw LR 1. No objections. So ordered.

### LIST OF LEGISLATIVE EMPLOYEES

#### Paid from Special Legislative Funds

Francis V. Robinson	Assistant Clerk of the Legislature
George Santo	Sergeant-at-arms
Max Baskins	Assistant Sergeant-at-arms
Ruby Nelson	Postmaster
Rev. Martin Schroeder	Chaplain
Theba Lubken	Journal Clerk
Sherrill Niebuhr	Office Secretary
Elsye Firestone	Docket Clerk, Stencil Typist
Eunice V. Bradley	Supervisor, Secretarial Pool
Miriam Gabelman	Committee Clerk
Marjory Hines	Committee Clerk
Jane Lemon	Stenographer
Ruth Theobald	Dictaphone Stenographer
Gertrude Tyler	Telephone Operator
Marc Borchers	Page
Jim Van Riper	Page
Phyllis Daniels	Page
Martha Hedge	Page
C. A. Mohrman	Chief Clerk, Bill Room
Everett Hall	Custodian

Joseph E. Eickmeier

Assistant Custodian

Elizabeth Reger

Proof Reader

Helen Petersen

Proof Reader

(Signed) Hugo F. Srb  
Clerk of the Legislature

### STANDING COMMITTEE REPORTS

#### Enrollment and Review

**LEGISLATIVE BILL 3.** Correctly enrolled.

**LEGISLATIVE BILL 2.** Correctly enrolled.

**LEGISLATIVE BILL 1.** Correctly enrolled.

(Signed) Joe T. Vosoba, Chairman

#### President Signs

While the Legislature was in session and capable of transacting business, the President signed: LB 3 LB 2 LB 1

#### Visitors

Mr. Gerdes introduced Mr. Carl Bruns, National Wheat Growers President of Chappell, Nebraska, and Messrs. Elvey Lassitor, Max Berry, and Earl W. Nelson of Oklahoma.

### UNANIMOUS CONSENT—Print Prayer

Mr. Adams requested unanimous consent that the prayer given by the Chaplain today be printed in the Journal. No objections. So ordered.

#### Prayer

Eternal God, in these declining moments of our special session, nearing its goal, having weighed facts against facts and making decisions that are meant to help the people who sent us here, in all humility, we give thanks to Thee, Oh Lord, for the privilege and honor that attaches to our office as representatives of the people of this state.

Greatly concerned about the consequences of our decisions, we shall now be open to Thy judgment.

May our sincerity never be questioned in striving to bring honor and glory to Thy Holy Name.

Amen

**Presented to the Governor**

Presented to the Governor for approval on August 9, 1960, at  
8:32 a.m.: LB 1 LB 2 LB 3

(Signed) Francis V. Robinson  
Assistant Clerk of the Legislature

**MOTION—Employees' Salaries**

Mr. President: I move that in the figuring of the salaries of the employees of this session, the schedule of wages for the 1959 session be used. (Signed) Stanley L. Portsche

The motion prevailed.

**MOTION—Printing**

Mr. President: I move that we approve the printing of the legislative bills and Session Laws by Capitol Printing Company, and the daily journals and permanent Legislative Journal by Joe Christensen. (Signed) Fern Hubbard Orme

The motion prevailed.

**MOTION—Journals, Session Laws**

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, to the Lieutenant Governor, and to each authorized member of the Press, assigned to the Legislature of the Seventieth (Extraordinary) Session, a copy of the permanent Legislative Journal of said session, and a copy of the Session Laws passed thereat. (Signed) Hal Bridenbaugh

The motion prevailed.

**MOTION—Approve Journal**

Mr. President: I move that the Legislative Journal for the Seventh Day be approved as prepared by the Clerk. (Signed) John Adams, Sr.

**MOTION—Retain Help**

Mr. President: I move that the Clerk of the Legislature be directed to retain such help as may be required to complete the business of the office for the Seventieth (Extraordinary) Session of the Legislature. (Signed) George Syas

The motion prevailed.



**MOTION—Notify Governor**

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn and ask him if he has any further message for the Legislature. (Signed) Norman A. Otto

The motion prevailed and the President appointed the following to wait upon the Governor: Otto, Pizer, Williams, Liebers, and Aufenkamp.

The committee escorted Governor Ralph G. Brooks to the rostrum.

The Governor expressed appreciation and thanks for the expeditious manner in which the Legislature performed.

The committee escorted the Governor from the rostrum.

**MOTION—Appreciation to Press**

Mr. President: I move that a standing vote of thanks be given to the newspapers and the press associations for their accuracy and fairness in reporting to the people of our State the activities of this Session of the Legislature. (Signed) Terry Carpenter

The motion prevailed.

**MESSAGE FROM THE GOVERNOR**

August 9, 1960

The President, the Speaker  
and Members of the Legislature

Gentlemen and Mrs. Orme:

Governor Brooks has requested me to inform your Honorable Body that on August 9, 1960, he approved LB 1, LB 2, and LB 3.

Respectfully submitted,

(Signed) Robert B. Conrad  
ROBERT B. CONRAD  
ADMINISTRATIVE ASSISTANT

RBC:e

**MOTION—Adjourn**

Mr. President: The Seventieth (Extraordinary) Session of the Legislature of Nebraska having finished all business before it, I move that it now adjourn sine die. (Signed) Arthur W. Swanson

The motion prevailed, and at 8:48 a.m., the Legislature adjourned.

Hugo F. Srb  
Clerk of the Legislature

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**CERTIFICATE**

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Seventieth (Extraordinary) Session of the Legislature of the State of Nebraska, convened and held in the City of Lincoln, State of Nebraska, August 1, 1960 to August 9, 1960.

(Signed) Hugo F. Srb  
Clerk of the Legislature

August 11, 1960  
Lincoln, Nebraska

**SPECIAL COMMITTEES OF THE LEGISLATURE****Seventieth (Extraordinary) Session****(August 1-August 9, 1960)**  

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**SPECIAL COMMITTEE (Budget, 69th Session)**

Liebers, Chairman

Thompson	Moulton	Stryker	Fenske
Marvel	Tews	Pizer	

**SPECIAL COMMITTEE (Judiciary, 69th Session)**

Simmons, Chairman

Vosoba	Lautenschlager	McHugh	Hollenbeck
Adams	Cooper		

**LEGISLATIVE BILLS ENACTED  
INTO LAW****Seventieth (Extraordinary) Session**  

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- 1 Vosoba et al. Industrial development by counties, cities and villages
- 2 Otto. Division of Nebraska Resources; appropriation
- 3 Burbach et al. Legislative expense appropriation

## **LEGISLATIVE BILLS**

### **By Original Introducers**

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**Kenneth L. Bowen**

3 with others

**J. W. Burbach**

3 Legislative expense appropriation

**Norman A. Otto**

2 Division of Nebraska Resources; appropriation

**Stanley L. Portsche**

3 with others

**Arnold Ruhnke**

1 with others

**Joe T. Vosoba**

1 Industrial development by counties, cities and villages

## **LEGISLATIVE BILLS WITH MORE**

### **THAN ONE INTRODUCER**

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1 Vosoba, Ruhnke. Industrial development by counties, cities and villages

3 Burbach, Portsche, Bowen. Legislative expense appropriation

## LEGISLATIVE BILLS IN COMMITTEES

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### SPECIAL COMMITTEE (Budget, 69th Session)

Chairman—Otto H. Liebers

- 2 Division of Nebraska Resources; appropriation

### SPECIAL COMMITTEE (Judiciary, 69th Session)

Chairman—Ray C. Simmons

- 1 Industrial development by counties, cities and villages

## LEGISLATIVE RESOLUTION IN COMMITTEE

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### SPECIAL COMMITTEE (Judiciary, 69th Session)

Chairman—Ray C. Simmons

- 1 Proposing Constitutional Amendment

## CHRONOLOGY OF BILLS

### Seventieth (Extraordinary) Session

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Aug. 9	Correctly enrolled. Signed by President .....	39
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